

10/524544

DTOS Rec'd PCT/PTO 14 FEB 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket No.: 24741-1538

Applicant(s):	Michael W. DAHM	Confirmation No.
Appl. No.:	Unassigned	Examiner: Unassigned
Filing Date:	Concurrently Herewith	Group Art Unit: Unassigned
Title:	METHOD FOR THE IMMUNOCYTOLOGICAL OR MOLECULAR DETECTION OF DISSEMINATED TUMOR CELLS FROM A BODY FLUID AND KIT THAT IS SUITABLE THEREFOR	

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicant in order to comply with applicant's duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

**RELEVANCE**

The foregoing documents came to the Applicant's attention during a search of the corresponding international application. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

TIMING/FEE

The instant Information Disclosure Statement is being filed in compliance with 37 CFR §1.97(b) within three months from the filing date of the above-identified application, therefore, no fee is required in connection with its filing.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

Date: February 14, 2005

HELLER EHRMAN WHITE &  
MCAULIFFE  
1666 K Street, NW, Suite 300  
Washington, D.C. 20006  
Telephone: (202) 912-2000  
Facsimile: (202) 912-2020

By

Patricia D. Granados

Patricia D. Granados  
Attorney for Applicant  
Reg. No.: 33,683

Customer No. 26633

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Please type a plus sign (+) inside this box ☒ PTO/SB/08A (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	Unassigned
Filing Date	Concurrently Herewith
First Named Inventor	Michael W. DAHM
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	24741-1538

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A05	HEXAL GENTECH FORSCHUNGS-GMBH: ONCOQUICK-TM GEBRAUCHSANLEITUNG, Online!; greiner bio-one, oncoQuick Instruction Manual, <a href="http://www.hexal-gentech.de/products/man_d.pdf">http://www.hexal-gentech.de/products/man_d.pdf</a> , XP002261835	
	A06	ALEXANDER GOETZ, "Mit OncoQuick den Metastasen auf der Spur, BIOFORUM, p. 394, 2001. Vol. 24, GIT VERLAG GMBH, DARMSTADT, XP002261836	
	A07	ALEXANDER W. GOETZ et al., "Enrichment of disseminated breast cancer cells from human peripheral blood by advanced density gradient centrifugation", Proceedings of the American Association for Cancer Research Annual Meeting, March 2002, p. 733, Vol. 43, XP002261837	
	A08	J. BISCHOFF et al., "Detection of disseminated tumor cells in bone marrow and peripheral blood of patients with metastatic breast cancer", Annual Meeting of the American Society of Clinical Oncology, May 2002, XP002261838	
	A09	R. ROSENBERG et al., "Comparison of Two Density Gradient Centrifugation Systems for the Enrichment of Disseminated Tumor Cells in Blood", Cytometry, December 1, 2002, pp. 150-158, Vol. 49, No. 4	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.